

ZB# 68-18

Jesse Jeffries

(no SBL given)

68-14 Jeffries filed 12-18-68
3. p.m.

PUBLIC NOTICE OF HEARING BEFORE THE ZONING BOARD OF APPEALS
 PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Town of New Windsor, New York will hold a public hearing pursuant to Section 48-33 of the Zoning Ordinance on the following proposition:
 Appeal No. 8
 Request of Jesse Jeffries for a variance of the regulations of the trailer to be erected on a permanent foundation in an RA zone, being a variance of Article III, Section 48-6 for property owned by him situated as follows: Bounded on the east by Riley Rd. on the south by lands of Baldwin on the north by lands of Smith and on the west by lands now on formerly of Baker.
 SAID HEARING will take place on the 16th day of Dec. 1968 at the New Windsor School, beginning at 7:30 o'clock P.M.
 LOUIS A. BUDNEY,
 Chairman
 Dec. 5 1968

**State of New York
 County of Orange, ss:**

Hugh V. Nocton , being duly sworn deposes and says that he isPrincipal Clerk..... of Newburgh-Beacon News Co., Inc., Publisher of The Evening News, a daily newspaper published and of general circulation in the Counties of Orange and Dutchess, and that the notice of which the annexed is a true copy was publishedOne Time..... in said newspaper, commencing on the.....5th.....day ofDecember.....A.D., 19 68 , and ending on the5th..... day ofDecember..... A.D., 19 68

Subscribed and sworn to before me this
5th..... day of.....December 19.....68.....

} *Hugh V. Nocton*
Louis A. Budney

.....
 Notary Public of the State of New York, County of Orange.
 MY COMMISSION EXPIRES MARCH 30, 1969



Adopted 12/20/65

APPLICATION FOR VARIANCE

APPLICATION NO. 68-18

DATE: December 2, 19 68

TO THE ZONING BOARD OF APPEALS OF THE TOWN OF NEW WINDSOR, NEW YORK

I (we) Jesse Jeffries of 91 Lander Street
(Street & Number)

Newburgh

New York
(State)

PEREBY MAKE

APPLICATION FOR A VARIANCE:

- A. LOCATION OF THE PROPERTY Riley Road, RA
(Street & Number) (Use District on Zoning Map)
- B. PROVISION (S) OF THE ZONING ORDINANCE APPLICABLE: (Indicate the article, section, sub-section and paragraph of the Zoning Ordinance applicable, by number. Do not quote the ordinance: Article III Sec. 3.1)

- C. NOTE: NECESSARY FINDINGS: Before any Variance is granted, the Zoning Board of Appeals must find all of the following conditions to be present:

1. Conditions and circumstances are unique to the applicant's land, structure or building and do not apply to the neighboring lands, structures or buildings in the same zone because:

Applicant had prior approval for request herein in November, 1967.

2. Strict application of the provisions of this ordinance would deprive the applicant of a reasonable use of the land, structure or building in a manner equivalent to the use permitted to be made by other owners of their neighboring lands, structures or buildings in the same zone because:

Upon information and belief, there are several similar
structures in the immediate area.

3. The unique conditions and circumstances are not the result of actions of the applicant taken subsequent to the adoption of the Ordinance because:

Applicant has owned the real property herein since November
30, 1950.

4. Relief, if approved, will not cause substantial detriment to the public good or impair the purposes and intent of this ordinance because: While the Structure to be placed on land has the appearance of a house trailer it would be in fact a one family dwelling with concrete foundation and permanent water and sanitation facilities.
5. Relief, if approved, will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zone because:

See paragraph 4.

- D. Describe in detail how the property is to be used and submit plans or sketches in duplicate.

Applicant owns property on Riley Road over 100 feet front by over 200 feet in depth, a trailer purchased by applicant is to be placed 100 to 150 feet back from road on a permanent concrete foundation. Permanent water supply and permanent sanitation facilities will be located inside the structure.

Town of New Windsor

- I. Application to be accompanied by a check, payable to the ~~Town Controller~~ in the amount of \$10.00. Application to be returned to: New Windsor Zoning Board of Appeals, ~~Box 5~~, New Windsor, N. Y. 12550.
- F. NOTICE OF HEARING:
Applicant agrees to send notice of any public hearing via registered mail to all abutting land owners as required by Section 9.4.1 of the ordinance
- G. If the property in question is located within a radius of 500 ft. of an adjoining municipality, the Board should be notified.

Dated: December 2, 1968

Jesse Jeffries
Signature of Applicant

STATE OF NEW YORK)
COUNTY OF ORANGE) SS

Sworn to this 2nd day of December 1968

LINDA S. BIRKE

Notary Public at New York

Residing in Orange County

My Commission Expires March 30, 1969

Linda S. Birke
(Notary Public)

91 Lander Street, Newburgh, N.Y.
Address

565-5233
Telephone No.

DO NOT WRITE IN THIS SPACE

Application NO. 68-18
Date of Hearing Dec. 16, 1968
Date of Decision "

Date Received Dec. 2, 1968
Notice Published Dec. 8, 1968

Decision:

Application approved (5-0 vote)

Jesse Jeffries - 7:30 hearing

Spectators:

Name

Address

Otmar Langmuir
Mrs. Longmire

Riley Rd. Vails - Gate
Box 191 N.Y. 12584

Done

D CLINTON DOMINICK (1889-1967)
JOSEPH P FOGARTY
D CLINTON DOMINICK, III

LAW OFFICES
DOMINICK & FOGARTY
100 THIRD STREET
NEWBURGH, N Y
12553

TELEPHONE
AREA CODE 914
562-0878

December 6, 1968

On behalf of Jesse Jeffries and in accordance with the zoning ordinance of the Town of New Windsor I am enclosing herewith copy of Notice of Hearing.

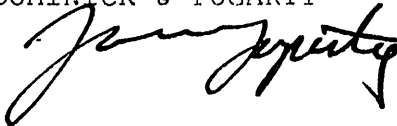
As stated in the Notice, Mr. Jeffries' application is for a zoning variance to allow him to erect a trailer on property owned by him on Riley Road.

The trailer will be placed on a permanent foundation and will have permanent sanitation facilities and water supply within the structure.

If you have any question on this matter please do not hesitate to call me or of course you may attend the hearing.

Very truly yours,

DOMINICK & FOGARTY



JPF/lsp

Enclosure

Joseph F. Musolino

327 Old Forge Hill Road
Newburgh, N.Y. 12550

TO: Zoning Board of Appeals
Town of New Windsor, New York.

LOUISE A. BUANEY
CHAIRMAN OF BOARD.

Re: Applications No. 15 & 15A
for Use and Area Variance.

I have attended the November 18th 1968 meeting pertaining to the above mentioned applications. I could not attend the December 2nd meeting due to other commitments, but my wife Frances was there in my absence. To my understanding the applicants did not furnish the board the full facts as to the chronology of their actions in the acquisition of the property in ~~question~~ question, which would in effect put the matter in a different light. Further, I reiterate ~~the~~ my objections as to the addition of an additional traffic hazard to life, limb and property. While it is recognized that the applicants have a financial investment involved, it is to be remembered that I brought out the fact that they were aware that the obstacles existed as to use of the property when it was purchased.

I wish to repeat that any approval for use and area variance without the restriction of any additional entry and exits on the Old Forge Hill Road is not in the public interest. There already is a very bad traffic hazard on Old Forge Hill Road due to already existing feeder exits and entries into the road. This is further complicated by the 102 family unit development that is not 5% complete. School bus traffic, uncontrolled traffic and parking in the road itself by cars entering and leaving the school, Heavy tractor trailer & commercial entering the Shop-Rite market through and out of shopping and the Chester National Bank, which enter and leave at any point the drivers choose, and last and not least the shoppers themselves darting in and out at their convenience. I recommend the following: That no additional commercial entry or exits be allowed on the portions of the road between the Vails Gate School ^{ENTRANCE} and Route #32, and that the present entries and exits on the road in and out of the Shoprite Market complex be clearly defined and signs and barrier curbs be installed to preclude indiscriminate emerging into Old Forge Road, Further, restrict heavy commercial to entry into the market by means of Route #32.

TRAFFIC,

Joseph F. Musolino

D CLINTON DOMINICK (1889-1967)
JOSEPH P FOGARTY
D CLINTON DOMINICK, III

LAW OFFICES
DOMINICK & FOGARTY
100 THIRD STREET
NEWBURGH, N. Y
12553

TELEPHONE
AREA CODE 914
562-0578

November 25, 1968

Zoning Board of Appeals
Town of New Windsor
Town Hall
Union Avenue
New Windsor, New York 12550

Re: Jesse Jeffries

Gentlemen:

On the 13th of November we forwarded a Petition to you in connection with Mr. Jeffries' application regarding his property on Riley Road.

I would appreciate it if you would advise me as to its present status.

Very truly yours,

DOMINICK & FOGARTY



JPF/lsp

D. CLINTON DOMINICK (1889-1967)
JOSEPH P FOGARTY
D CLINTON DOMINICK, III

LAW OFFICES
DOMINICK & FOGARTY
100 THIRD STREET
NEWBURGH, N. Y
12553

TELEPHONE
AREA CODE 914
562-0878

December 2, 1968

Zoning Board of Appeals
Town of New Windsor
New Windsor, New York

Gentlemen:

Enclosed herewith please find two copies of the application #68-18 of Jesse Jeffries with respect to a request for a variance for property on Riley Road.

I am sending a copy of the application to Patricia Delio for her information.

I would appreciate it if you would advise me as to the hearing date so that I may prepare letters for mailing to adjoining residents and property owners.

Very truly yours,

DOMINICK & FOGARTY



JPF/lsp

Enclosures

Trailer - Riley Road

T.B.
meeting
12.30.68

(#4D-9)

Motion by Councilman F, seconded by Councilman A that the Town Board of the Town of New Windsor approve the request received from Jesse Jeffries to install a trailer home on Riley Road, as per the approval given by the New Windsor Zoning Board of Appeals, as stated in their minutes dated December 16, 1968. Also, that the New Windsor Building & Zoning Inspector and Joseph Fogarty, Esquire, be notified regarding said approval.

4-D

Roll call.

Memo FROM: **JULIA M. TUCKOSH** - TOWN CLERK

244 UNION AVENUE

NEW WINDSOR, N. Y. 12550

TO:

Joseph Fogarty, Esquire
100 Third Street
Newburgh, New York 12550

DATE: January 8, 1969

SUBJECT: Trailer Request - Jesse Jeffries

—FOLD HERE—

Dear Sir:

The following is a copy of a resolution approved by the New Windsor Town Board on December 30, 1968:

"Motion by Councilman Fischer, seconded by Councilman Sloan that the Town Board of the Town of New Windsor approve the request received from Jesse Jeffries to install a trailer home on Riley Road, as per the approval given by the New Windsor Zoning Board of Appeals, as stated in their Minutes dated December 16, 1968. Also, that the New Windsor Building and Zoning Inspector and Joseph Fogarty, Esquire be notified regarding said approval. Roll call, all ayes. Motion carried 4-0."

Sincerely,

Julia M. Tuckosh

by

JULIA M. TUCKOSH

Town Clerk

JMT:pt